

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re: Lion Air Flight JT 610 Crash	Consolidated Case: 1:18-cv-07686 Related to Cases: <i>1: 19-cv-02774</i> Nurdin Semendawai Action for deaths of Andri Wiranofa and Niar Soegiyono <i>1: 19-cv-03415</i> Rini Soegiyono action for death of Niar Soegiyono <i>1: 19-cv-05311</i> Rini Soegiyono action for death of Andri Wiranofa Honorable Thomas M. Durkin
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**PLAINTIFF NURDIN SEMENDAWAI'S STATEMENT OF POSITION
IN RESPONSE TO PLAINTIFF RINI SEOGIYONO'S REQUEST
FOR EMERGENCY HEARING**

COMES NOW Plaintiff Nurdin Rakhman Semendawai ("Nurdin"), through his attorneys at *Herrmann Law Group* ("HLG"), to respond to counsel ("SNS" & "ILG") for Rini Soegiyono's request for emergency hearing.

1. All attorneys are ethically bound to not allow disputes over fees with other counsel to needlessly delay distribution of net proceeds to their clients.

2. *HLG* has no interest and takes no position in the *Filzaladi* matter. We have represented no party nor have we ever been associated with any of the attorneys involved in *Filzaladi*. Our interests lie solely in the *Wiranofa/Soegiyono* cases.

3. In the *Wiranofa/Soegiyono* matter, *HLG*, *SNS*, and *ILG* together with our respective clients agreed on a "*Side Agreement*" over two months ago whereby it was agreed to lay aside our dispute over attorney fees to expedite transfer of undisputed net proceeds to our clients. We also agreed to use *Bartlett Chen LLC* as trustee to receive the gross settlement from Boeing, to distribute the undisputed net proceeds to the adult and minor parties as the Court may direct, and to hold the disputed fees until either settled or resolved judicially.

4. *HLG*, *SNS*, and *ILG* and their respective clients have for months been willing to execute full releases in favor of Boeing and to transfer net proceeds to our respective clients.

5. However, *SNS & ILG* still are embroiled in unresolved disputes with their former co-counsel *Kabateck LLP* ("*Kabateck*") and their local counsel *Hart McLaughlin Eldridge* ("*HME*") over how to apportion whatever that attorney group's share of the fees in the *Wiranofa/Soegiyono* case is eventually agreed upon or judicially resolved. Thus, execution of the settlement in *Wiranofa/Soegiyono* has been stymied.

6. *HLG* claims no part of the attorney fees charged to the adult claimants in the cases for the death of Niar Soegiyono. *HLG* understands *SNS & ILG* make no claim for any part of the attorney fees charged to the adult claimants in cases for the death of Andri *Wiranofa*.

7. While there remains a dispute over attorney fees charged to the two minors, *HLG*, *SNS*, *ILG*, and *Kabateck* have agreed upon a method to resolve the issue.

8. Therefore, in the Wiranofa/Soegiyono cases, *HLG* requests the Court to require:

- a.** All parties and all attorneys execute and deliver full releases in Boeing's favor;
- b.** Once said releases are received, Boeing shall transfer the gross settlement proceeds to the Bartlett Chen LLC law firm be held in trust;
- c.** By order of this Court on a subsequent motion for approval of the minors' settlements in the Wiranofa/Soegiyono cases, the undisputed net proceeds shall be transferred to the parties as this Court directs; and,
- d.** Bartlett Chen LLC shall eventually distribute the disputed fees according to a settlement agreement or a judicial order.

Dated this 28th day of December 2020.

HERRMANN LAW GROUP

/s/ Charles Herrmann

CHARLES HERRMANN (WA Bar #6173)

Email: charles@hlg.lawyer

MARK E. LINDQUIST (WA Bar #25076)

Email: mark@hlg.lawyer

505 5th Ave South, Ste. 330

Seattle, WA 98104

Voice: (206) 625-9104

Fax: (206) 682-6710

Attorneys for:

Plaintiffs Nurdin R. Semendawai

Dewi Afriza, individually and as

Legal Guardians for two minors